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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,854	11/07/2000	Makoto Saotome	1614.1092	8551

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EXAMINER

GESESSE, TILAHUN

ART UNIT PAPER NUMBER

2684

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/706,854	<b>Applicant(s)</b> SAOTOME ET AL.	
	<b>Examiner</b> Tilahun B Gesesse	<b>Art Unit</b> 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 6/10/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-22 is/are rejected.
- 7) ☐ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This is in response to applicant's response filed June 21, 2004, in which claims 1-22 are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2,5,7-8,15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Kubo et al "Kubo" (6,671,814).

Claim 1, Kubo discloses a communication device (USB connector) comprising:  
Kubo discloses detecting means for detecting a signal peculiar (setting signal) to a universal serial bus (USB) obtained via the USB (column 2, lines 1-6 and lines 34-47).

Kubo discloses disconnecting means for disconnecting a line that is being used for a communication when the signal peculiar (a setting signal) to the USB is not detected by said detecting means within a predetermined time (column 2, lines 7-33).

Claim 2. Kubo discloses the signal peculiar to the USB is a control transfer signal, (control signal is transmitted from host to electrically connect or on setting signal (column 2, lines 1-6).

Claim 5. Kubo discloses notifying means for providing notification of the disconnection of the line, which is being further comprising, used for the communication (column 2, lines 25-33).

Claim 7-8,18 Kubo discloses control means (8) for re-connecting to the line which was disconnected using the log of the disconnection of the line stored in said log storage means, when restoring a computer equipment which is coupled to the communication device via the USB (column 5, lines 49-column 6, lines 44 and figure 4).

Claim 15, Kubo discloses a detecting unit (8) configured to detect a signal peculiar to a universal serial bus (USB) obtained via the USB (column 5, 44-60 and figure 4), and a disconnecting unit (8) configured to disconnect a line that is being used for communication when the signal peculiar to the USB is not detected by said detecting unit within a predetermined time (column 5, lines 5-42)

Claim 16, Kubo discloses the signal peculiar to the USB is selected from the group consisting of a frame start (SOF) signal, an interrupt transfer request signal, a control transfer signal, and a bulk IN transfer request signal (column 2, lines 1-6).

Claim 17, Kubo discloses a notifying unit configured to notify a disconnection of the line that is being used for the communication (column 2, lines 25-33).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4, 9-14, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo in view of Matsuda (6,211,649).

Claim 3-4 and 9-13. Kubo discloses the disconnecting means instructs a disconnection of the line, which is being used for the communication via a command line, or a control line, with respect to a communication device (stop device operation of figure 5).

Kubo does not teach wireless telephone set is coupled to communication device. However, Matsuda teaches wireless telephone set (30) coupled to a communication device (20) (see figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to connect a wireless telephone set with a communication device, as taught by Matsuda, in order to interface data communication between a host computer and a wireless telephone set using USB coupler in mobile environment.

Claim 14,19-20, Kubo discloses the detecting means and the disconnecting means are built into one of computer equipment via the communication device (stop device operation of figure 3).

Kubo does not teach wireless telephone set. However, Matsuda teaches wireless telephone set (30) coupled to host computer (figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to couple a wireless telephone set to host computer, as taught by Matsuda, for interfacing data between a host computer and wireless device for wireless environment.

Claims 21, Kubo discloses a communication controller (8), comprising: a communication device, a computer device connected to the communication device via a universal serial bus (USB) (column 2, lines 40-47), the computer device (host) sending a communication request signal to the communication device via the USB (column 2 lines 1-6) the communication device disconnecting the communication line when a USB signal is not detected by the communication device within a predetermined amount of time (column 2, lines 47-column 3, lines 5).

Kubo does not teach a wireless telephone connected to the communication device via a communication line. However, Matsuda discloses a wireless telephone connected to the communication device via a communication line (figure 1 and it's disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to transmit and receive data suing wireless telephone set coupled to computer, as taught by Matsuda, for wireless data communication.

Claim 22. Kubo in view of Matsuda disclose as explained in claim 21, further more, Kubo teaches the communication device (column 2, lines 34-47) comprising: an interrupt detector detecting a USB signal as a result of a communication request signal from the computer device (column 3 lines 6-20), and determining whether the USB signal is received within a predetermined detection time; and a line controller disconnecting the communication line when the USB signal is not received within the predetermined detection time (column 5, lines 56-column 6, lines 4).

***Allowable Subject Matter***

6. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach the notifying means provides notification of the disconnection of the line which is being used for the communication using an electronic mail function of a wireless telephone set which is coupled to the communication device.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2684


Endo et al (6,205,502) discloses a USB controller is provided between a personal computer main unit and various devices (abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**TILAHUN GESSESSE**  
**PATENT EXAMINER**

October 12, 2004